

**UNITED STATES DISTRICT COURT
FOR THE Northern District of Illinois – CM/ECF LIVE, Ver 3.2.2
Eastern Division**

LM Insurance Corporation

Plaintiff,

v.

Case No.: 1:08-cv-02372

Honorable John A. Nordberg

ACEO Inc, et al.

Defendant.

NOTIFICATION OF DOCKET ENTRY

This docket entry was made by the Clerk on Wednesday, January 21, 2009:

MINUTE entry before the Honorable Jeffrey Cole: Status hearing held. Motion hearing held. Plaintiffs oral motion for ruling on Interrogatory #5, #6, #8, #9 and #14 held. Defendant is ordered to answer by the close of business on Wednesday, 1/28/09, Interrogatory #5 to ACEO (not minimal but with a number), #5 (the part that says we do not yet have an opinion); #4 as to ACEO to the extent that it seeks information for the 2 year period of 2006–2007; #6 the objection is sustained, but by the agreement of the parties it would be answered for the period of May of 2006 to March 2007 and #8 shall be answered. Interrogatory #9, the objection is overruled and need not be answered. As to Interrogatory #14 the Court reserves ruling. Parties are ordered to have a face-to-face Rule 37.2 Conference. In the event of future discovery disputes, strict compliance with Local Rule 37.2 will be required. The Certificate of Compliance shall comply precisely with the Rule and shall reflect the items discussed, on an item by item basis, stating what was discussed and the response from each party, including any concessions offered by a party and an explanation of why that concession was rejected. See Autotech Technologies Ltd. Partnership v. Automation Direct.com., 2007 W.L. 2736681 (N.D. Ill 2007). All future discovery disputes will be considered against the backdrop of Judge Easterbrook's panel opinion in Rickles v City of South Bend, Indiana, 33 F.3d 785, 786 (7th Cir. 1994) (" 'The great operative principle of Rule 37(a)(4) is that the loser pays.' Fee shifting, when the judge must rule on discovery disputes, encourages their voluntary resolution and curtails the ability of litigants to use the legal process to heap detriments on adversaries without regard to the merits of the claim.' "). Mailed notice(cdh,)

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